

WATER QUALITY CONTROL BOARD NORTH COAST REGION

EXECUTIVE OFFICER'S REPORT

November & December 2002

CLEANUPS AND SPECIAL INVESTIGATIONS DIVISION

Update on Occhipinti's Service Station in Santa Rosa

[Staff Contact: Luis Rivera]

The discharge of petroleum hydrocarbons at the retail station known as Occhipinti's at 210 Fifth Street in Santa Rosa is a priority for enforcement action. On February 13, 2002 Cleanup and Abatement Order (CAO) R1-2002-0024 was issued to William Occhipinti (operator) and David Walter (owner) to compel abatement actions in response to the discharge of petroleum hydrocarbons to soil and groundwater at the site. The CAO was revised on September 5, 2002 (CAO R1-2002-0090) to include the Atlantic Ritchfield Company (ARCO) as a responsible party. The location is currently branded as a Texaco retail station.

William Occhipinti and David Walter petitioned the State Water Board to review the CAO. On November 18, 2002 staff was notified by the Office of Chief Counsel that Mr. Occhipinti's representative had contacted the State Water Board to convey the message that Mr. Occhipinti intended to comply with the CAO and that the petition was to be held in abeyance.

Initial sub-surface investigative work revealed a significant petroleum hydrocarbon and methyl tert butyl ether (MTBE) plume originating at the site and extending to the west approximately 1,000 feet. Separate phase hydrocarbons (product) is present on groundwater in the vicinity of the underground storage tanks and the vertical extent of MTBE contamination has not been investigated. Some of the underground storage tanks appear to be the original tanks installed in 1954. The tanks were relined in 1996 without meeting Santa Rosa Fire Department requirements for tank relining.

A workplan was submitted by Mr. Occhipinti's consultant which outlined a proposal to remove product, impacted soil, and ground water around and beneath the underground storage tanks, fuel dispensers, and associated piping at the site. Staff approved the scope of work outlined in the workplan. Implementation was to be conducted by October 5, 2002. As of December 2002, the workplan has not been implemented. The source of contamination including the underground storage tank system, significantly impacted soil and separate phase hydrocarbons remain in place. The MTBE concentrations and apparent size of the MTBE plume indicate an ongoing discharge.

The Executive Officer has requested that a meeting be held this month between all responsible parties to discuss and resolve any issues associated with this case and outline an expeditious cleanup of the site. A continuing violation of the CAO may result in the imposition of civil liability as stipulated in the Water Code.

WATERSHED MANAGEMENT DIVISION

SWAMP Update

[Staff Contact: Peter Otis]

This SWAMP information is provided as an update to the summary provided at the October 28th Board meeting. Swamp's principal regional goals are ambient monitoring, waterbody screening, and assessment – it is a monitoring program designed to provide timely and relevant water quality data to assist us in comparing our various waterbodies and prioritizing them for further analysis and study.

With the first year's data collected under strict new protocols, some very informative patterns are beginning to emerge. The Shasta River

system appears to be unique among the waterbodies sampled last year. Of the 261 samples collected throughout our region, the Shasta River consistently ranked highest in total dissolved solids (TDS), hardness, and total arsenic concentration. The higher concentration of these constituents may be a result of groundwater originating from the volcanic geology of the Mount Shasta region. In addition, the Shasta River ranked among the highest in ortho-phosphate, a readily available plant nutrient. Since these measurements are from a single station, three additional stations have been added in the Shasta River watershed for FY 2002-03 to better characterize the water quality in the system. We will continue to update you on water quality trends and relationships as the large amount of SWAMP data are analyzed.

TMDL Development Unit Activities

Mattole River Watershed Sediment and Temperature TMDLs

On December 30, 2002, USEPA established the sediment and temperature TMDLs for the Mattole River watershed. After release at the end of October of a draft Technical Support Document (prepared by Regional Water Board staff) and of the draft TMDLs (prepared by USEPA staff), public meetings were held in mid-November in Petrolia and Whitethorn. The documents were revised and finalized in response to public comment received through the end of the public comment period, in late November.

Klamath Basin TMDLs

The TMDL Development Unit has met with representatives of other state agencies to coordinate Klamath River basin issues. The unit plans to hold a meeting in March 2003 among state, federal, and local agencies, tribes and watershed groups to coordinate sampling on the Klamath River in the spring and summer of 2003. TMDL unit staff is coordinating with Oregon's Department of Environmental Quality TMDL staff to share GIS data on the Klamath River basin. In February, the TMDL unit expects to receive USGS water quality data from last summer's Klamath River monitoring.



Klamath River at the California/Oregon border

Lower Lost River TMDL

TMDL staff met with Oregon Department of Environmental Quality to coordinate the TMDL data collection effort and modeling resources for this shared river. TMDL staff has begun to review existing water quality data on the Lower Lost River and Tule Lake. USGS-contracted water quality monitoring in this watershed will resume in May of 2003.

Upper Lost River TMDL

The TMDL Development Unit is analyzing data collected in 2002 from water quality monitoring on the Upper Lost River and Clear Lake Basin, located on the Modoc Plateau along the Oregon border in Modoc County. The Lost River flows from California's Clear Lake reservoir north through Oregon and back into California's Tule Lake. The Lost River (including the Clear Lake Reservoir area) is on the State's 303(d) list of impaired waterbodies for temperature and nutrients. The water quality data are being compared to what is known about the water quality requirements of the area's fishes, primarily focusing on the Lost River and shortnose suckers and the redband trout. The technical analysis for the Upper Lost River/Clear Lake area TMDL is due in 2003.



Water Quality Sampling Location at Boles Creek on the Modoc Plateau

Salmon River TMDLs Staff of the TMDL Development Unit made a presentation to the Salmon Learning and Understanding Group on November 21, 2002 on the results of water quality monitoring in the Salmon River watershed from June through September 2002. Staff is working under contract with the University of California at Davis Information Center for the Environment to model the role of shade on stream temperature in the Salmon River. The technical analysis for the nutrient and temperature TMDLs for the Salmon River is scheduled for completion in June 2003.

Scott River TMDLs

Staff of the TMDL Development Unit have developed workplans for the Scott River TMDLs. Staff have also been assessing data needs and avenues for meeting those data needs, and actively coordinating with other agencies to ensure data is collected in ways that minimize redundancy.

Shasta River TMDLs

Staff of the TMDL Development Unit are organizing a Technical Advisory Group for the Shasta River TMDLs. The TAG will provide staff feedback on proposed monitoring activities in the Shasta River watershed. The first meeting with the TAG is scheduled for February 3, 2003. The technical analysis for the Shasta River TMDLs is scheduled for completion in December 2004.

WATERSHED PROTECTION DIVISION

Jon Green and Deann Green and Green Right O'Way Constructors 22341 Tomki Road, Willits AP Numbers 108-191-11-00 and 108-192-11-00 near Willits, Mendocino County
[Staff Contact: Scott Gergus]

On June 12, 2001, Regional Water Board staff, in response to a complaint from California Department of Forestry and Fire Protection, inspected a 60-acre vineyard development located at 22341 Tomki Road on a ridge top approximately 8 miles east of the town of Willits. The site is owned by Jon and Deann Green who commenced development of the site during the winter of 2000 or spring of 2001. During the site inspection, staff observed extensive logging, land clearing, grading, and grubbing of brush and timber throughout the site. Staff inspected watercourses located downstream of the site, and also determined that an erosion control plan was not developed for the site and erosion control measures were not installed. Mr. Green's site development activities represented a threatened discharge to Scott Creek. On June 12, 2001, the Executive Officer issued a 13267(b) Order requiring the Greens to submit technical report including a vineyard drainage and erosion control plan by July 12, 2001. Mr. Green requested and was granted a time extension to submit the requested documents to the Executive Officer. To date only a Preliminary Erosion Control Plan has been submitted, and it has not been implemented.

On September 27, 2002, staff met with Mr. Green and inspected the site. Staff found that construction had not occurred for several months and the site had not been stabilized. Excessive erosion damage from last winter had not been repaired, and Scott Creek had been negatively impacted with sediment originating from the site. The California Department of Fish and Game has determined Scott Creek to be a salmonid stream. Mr. Green indicated he would winterize the site prior to the October 15th rainy season. On November 14, 2002, staff again met with Mr. Green to inspect the site and the

condition of Scott Creek. Staff found that site erosion control work was not completed, additional extensive erosion damage had occurred, and Scott Creek now had sediment deposits in excess of eight inches deep (Figures 1 and 2). Mr. Green indicated he would complete the necessary erosion control on his site. On December 3, 2002, the Executive Officer issued Cleanup and Abatement Order No: R1-2002-0103, to Jon and Deann Green with tasks that must be completed by January 2, 2003. On December 9, 2002, staff again inspected the site and found little to no erosion control work had occurred on the site. Mr. Green has requested a time extension to July 31, 2003 to complete the necessary tasks and submit the necessary technical documents. At this time, Jon and Deann Green are in violation of the Water Quality Control Plan for the North Coast Region (Basin Plan) and Cleanup and Abatement Order No: R1-2002-0103. Staff is presently considering this request and other regulatory options.



Figure 1. Scott Creek stream channel gravels buried in sediment from the Jon Green site.



Figure 2. Scott Creek gravel pool buried in sediment from Jon Green site.

Update on the Salvation Army Rehabilitation Facility in Healdsburg

[Staff Contact: Charles Reed]

In January 2002, staff responded to a report that the berm for wastewater treatment pond at the Salvation Army Rehabilitation Facility in Healdsburg had breached and was discharging to surface water. Staff inspected the site and confirmed the breach and observed a discharge of untreated domestic wastewater to Lytton Creek, a tributary to the Russian River. The Executive Officer issued Cleanup and Abatement Order No. R1-2002-0017 to the Salvation Army on January 9th, 2002 requiring that the discharger initiate emergency corrective actions to cease the discharge to surface water, undertake actions to eliminate the threat of future discharges from the treatment pond, and develop a monitoring program to evaluate the effectiveness of the corrective actions. In compliance with the cleanup and abatement order, the Salvation Army completed emergency repairs to the pond berm and has collected the wastewater generated at the facility daily for transfer by pumper truck to the Healdsburg municipal treatment plant. This method of disposal will continue until a new wastewater treatment facility is constructed and waste discharge requirements are adopted.



Salvation Army Rehabilitation Facility Pond

In July 2002, the Salvation Army submitted a report of waste discharge describing a proposal to install a package wastewater treatment facility to treat wastewater generated at the Salvation Army facility and dispose of the treated effluent through surface irrigation. The report of waste discharge was determined by staff to be incomplete and additional information to complete the application is being requested from the Salvation Army. Regional Water Board staff are currently working with the Salvation Army to design a project that will protect public health and the beneficial uses of waters of the State.

ADMINISTRATION DIVISION

In Appreciation of the North Coast Region's Clerical Staff

[Staff Contact: Frank Reichmuth]

The North Coast Regional Water Quality Control Board generally holds 9 meetings each calendar year. For calendar year 2002, the North Coast Region had 20 days of workshops and/or meetings. The last three meetings were very close in succession on November 7, December 5, and December 10. The clerical staff have performed an outstanding service in producing the agendas for our Board meetings while maintaining their normal work outputs. During the past year, the North Coast Region also underwent remodeling. The clerical staff had to be moved into the lobby for three months while their new work area was under construction. When workloads became heavy and work conditions a challenge, the clerical staff have demonstrated their ability to work together for the good of the office and water quality. We should all be proud and count

ourselves fortunate to have such a dedicated clerical staff and congratulate our clerical staff for a job well done.

25-Year Service Award

[Staff Contact: Frank Reichmuth]

At the Regional Water Board's December 20, 2002 General Staff Meeting special recognition was given to staff members who have earned 25 Years of State Service. Frank Reichmuth, Assistant Executive Officer, presented each staff member with a framed certificate, which acknowledged faithful public service in recognition of employment with the State of California for a period of twenty-five Years. Certificates were awarded to the following staff members: Kathleen Daly, Janice Goebel, Robert Klamt, Charles Vath, Susan Warner, Al Wellman.

TIMBER HARVEST DIVISION

Status Report on Timber Waivers

[Staff Contact: Nathan Quarles]

Timber Waivers are being developed in other Regional Water Boards. Region 6, Lahontan, held a public hearing for their Timber Waiver on January 8, 2003. Region 5, Central Valley, is holding their public hearing for Timber Waivers on January 30-31, 2003. Region 3, Central Coast, is scheduled to hold their public hearing for Timber Waivers on February 7, 2003. On December 10, 2002 the North Coast Regional Water Board adopted a Timber Waiver (Order No. R1-2002-0109) that will need to be revised by December 31, 2003. In preparation of the revised Timber Waiver, Regional Water Board staff propose quarterly updates/ workshops to develop a longer-term Timber Waiver.

TIMBER HARVEST DIVISION

Timber Harvest Inspections

[Jonathan Warmerdam]

Staff from the Regional Water Board frequently attend pre-harvest inspections (PHIs) prior to the start of operations on timber harvest plans (THPs) and non-industrial timber management plans (NTMPs). Participation in PHIs allows for review of proposed operations in conjunction with existing onsite conditions. During the inspections, staff develops recommendations or mitigations in an effort to avoid impacts to the beneficial uses of water. Active and completion inspections allow for the review of operations following approval of the THPs and NTMPs. These inspections provide staff the opportunity to identify effective and ineffective management activities. Occasionally, Regional Water Board staff will recommend further mitigations to bring plans into compliance with the Basin Plan.

During the Spring of 2002, Regional Water Board staff participated in a PHI for a THP in Mendocino County and identified several culverted watercourse crossings that posed a significant threat to waters of the state. One of these crossings (see photo) had been in place for approximately 30 years. The culvert was undersized, rusted, and was allowing water to erode through the fill material under the pipe.

Without replacement of the culvert, water may have built up behind the culvert inlet and topped over the road prism (which was approximately 20 feet above the creek), allowing for significant volumes of fill material to discharge directly into the watercourse. The crossing had not been disclosed or addressed in the THP.



Regional Water Board staff identified the crossing as a sediment source and recommended that it be replaced with a new properly sized culvert. Additionally, recommendations were generated to include armoring the crossing fill slopes and rocking an overflow channel across the road.

An active inspection was conducted during the Winter of 2002 and revealed that recommendations had been properly implemented.



NTMP Inspection

In September 2002, Regional Water Board staff participated in the preharvest inspection (PHI) for a Sonoma County Non Industrial Timberland Plan (NTMP). The NTMP proposes to harvest 768 acres of timber on the 1,509 acre ranch. Staff observed sediment discharges resulting from past logging practices and current improper maintenance techniques including (1) roads located within the watercourse zones; (2) an old landing constructed in a watercourse; (3) watercourses diverted out of their original channel; (4) evidence of a watercourse flowing along a road; (5) soil graded into watercourses; and (6) lack of adequate erosion control facilities.

After the PHI, Regional Water Board staff requested that the registered professional forester (RPF) develop a detailed erosion control plan (ECP) to address discharges of sediment to watercourses and bring the plan into compliance with Basin Plan standards. The ECP was submitted and revised after a second PHI inspection. In December 2002, Regional Water Board staff submitted their PHI Report recommending a timeline for completion of temporary and permanent erosion control to reduce and eliminate all significant sediment discharges to the watercourses. Regional Water Board staff also recommended monitoring of erosion sites which requires the landowner to visit and report on the condition of all watercourse protection zone (WLPZ) roads and watercourse crossings during and at the end of winter. At CDF Second Review Team meeting on January 2, 2003, the RPF and landowner agreed to these measures.



Years ago, a landing was constructed in this Class II watercourse. Soil and logs were left in the watercourse. During high flows, the watercourse cut its way through the landing. Soil from the landing washed down stream but the logs and additional soil remain within the channel. A WLPZ road crosses the watercourse (top of photo).



This old logging road (left) was constructed partially within the Class III watercourse (right). The road was constructed 0 to 50 feet away from Class I, II, and III watercourses. The outside berm on the road (center of photograph) channels road drainage carrying sediment directly to the watercourse. Road maintenance also resulted in sediment discharges through the grading of the road and pushing soil just above or into the watercourse channel.

TIMBER HARVEST ACTIVITIES

During November and December 2002 the Timber Harvest Division received 57 new Timber Harvest Plans (THPs) and 4 amendments to THPs. Staff participated in First Review meetings for 29 THPs and participated in Second Review meetings for 23 THPs. Twenty-five inspections were also conducted during November and December 2002.

NOTE: This is a snap shot of a working database with data entered as of January 8, 2003.

CLEANUP AND ABATEMENT ORDERS

There were no Cleanup and Abatement Orders issued during the month of November 2002

CALIFORNIA WATER CODE SECTION 13267 LETTER ORDERS

There were six California Water Code section 13267(b) Letter Order issued during the month of November 2002. All of the letters were for cleanup sites. The letters went to responsible parties for LaBlue's Cleaners, 580 Gravenstein Highway, North, Sebastopol; Superior Cleaners, 732 Gravenstein Highway North, Sebastopol; Crown Cleaners, 1975 Mendocino Avenue, Santa Rosa; Roseland Cleaners (former), 761 Sebastopol Road, Santa Rosa; Witter Road & Elphick Road, Sebastopol; and, Sierra-Pacific Industries, Arcata Division Sawmill, 2293 Samoa Road, Arcata.

SPILLS, COMPLAINTS, AND INVESTIGATIONS

Twelve complaints were received during the months of October 2002. One spill was reported during October 2002.

ADMINISTRATIVE CIVIL LIABILITY COMPLAINTS/ ORDERS

No Administrative Civil Liability (ACL) Complaints were issued during November 2002.

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM

For the month of November 2002, there has been a total of \$1,061,945 in funds issued to tank owners in Region 1 from the Underground Storage Tank Cleanup Fund. There were three letters of commitment issued during the month of November 2002 for a total of \$90,000.

CLEAN WATER ACT SECTION 401 CERTIFICATIONS

Fourteen new applications for Clean Water Act Section 401 Water Quality Certification were received in November and December 2002. Six 401 Certifications were issued and 2 were Denied without prejudice in November and December 2002.

Information regarding all proposed certifications is available at our Internet web site at:

http://www.swrcb.ca.gov/rwqcb1/Public_Notices/401certs/notice401.html

PUBLIC FILE REVIEW

From November 1 through December 31, 2002, three written request was made for review of the Regional Water Board's records. In addition, a total of 55 people came into the office and requested file review during November and December 2002.

STAFF HIRING

There were no new hires during the months of November and December 2002.

FEBRUARY REGIONAL WATER BOARD MEETING

The Regional Water Board meeting for February 2003 is scheduled to be held in Santa Rosa on February 27, 2003.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our web-site at <http://www.swrcb.ca.gov>.